



February 1, 2002

SENATE BILL No. 381

DIGEST OF SB 381 (Updated January 30, 2002 11:43 AM - DI 14)

Citations Affected: IC 16-18; IC 16-44.

Synopsis: Use of MTBE as gasoline additive. Provides that after July 23, 2004, gasoline sold, offered for sale, or used in Indiana may not contain more than one-half percent by volume of methyl tertiary butyl ether (MTBE). (The introduced version of this bill was prepared by the interim study committee on agriculture and animal issues.)

Effective: July 1, 2002.

**Hershman, Jackman, Lewis,
Young R, Weatherwax, Waterman**

January 10, 2002, read first time and referred to Committee on Agriculture and Small Business.
January 31, 2002, reported favorably — Do Pass.

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SB 381—LS 7090/DI 52+



February 1, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 381

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-18-2-242.9 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2002]: **Sec. 242.9. "MTBE", for purposes of**
- 4 **IC 16-44-2, has the meaning set forth in IC 16-44-2-2.4.**
- 5 SECTION 2. IC 16-44-2-2.4 IS ADDED TO THE INDIANA CODE
- 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2002]: **Sec. 2.4. As used in this chapter, "MTBE" refers to the**
- 8 **gasoline additive methyl tertiary butyl ether.**
- 9 SECTION 3. IC 16-44-2-8 IS AMENDED TO READ AS
- 10 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 8. (a) The inspections
- 11 and tests made by the state department under this chapter shall be
- 12 conducted in accordance with the methods outlined by the American
- 13 Society for Testing and Materials.
- 14 (b) The inspections and tests as to gasoline, gasohol, and kerosene
- 15 must reflect the following minimum specifications necessary for the
- 16 approval of the product:
- 17 (1) Gasoline or gasohol:

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(A) Corrosion Test † Method ASTM D-130. A clean copper strip may not show more than extremely slight discoloration when submerged in the gasoline for three (3) hours at one hundred twenty-two (122) degrees Fahrenheit.

(B) Distillation Range † Method ASTM D-86. When the thermometer reads one hundred sixty-seven (167) degrees Fahrenheit, not less than ten percent (10%) may be evaporated. When the thermometer reads two hundred eighty-four (284) degrees Fahrenheit, not less than fifty percent (50%) may be evaporated. When the thermometer reads three hundred ninety-two (392) degrees Fahrenheit, not less than ninety percent (90%) may be evaporated. The residue may not exceed two percent (2%). Percent evaporated is found by adding the distillation loss to the amount collected in the receiver at each specification temperature.

(C) Sulphur † Method ASTM D-1266 or D-2622. Sulphur may not exceed twenty-five hundredths of one percent (0.25%).

(D) Vapor Pressure † Method ASTM D-4953, ASTM D-5191, or any other ASTM method to determine vapor pressure approved by the United States Environmental Protection Agency. For gasoline, the Reid vapor pressure at one hundred (100) degrees Fahrenheit may not exceed the following:

(i) Fifteen (15) pounds per square inch at the normal barometric pressure at the point of delivery during November, December, January, February, and March.

(ii) Fourteen (14) pounds per square inch during April and October.

(iii) Twelve (12) pounds per square inch during May, June, July, August, and September.

(E) For gasohol (a blend of gasoline and alcohol permitted under federal tax requirements), the vapor pressure may not exceed the following:

(i) Sixteen (16) pounds per square inch during November, December, January, February, and March.

(ii) Fifteen (15) pounds per square inch during April and October.

(iii) Thirteen (13) pounds per square inch during May, June, July, August, and September.

(F) After July 23, 2004, gasoline may not contain more than one-half percent (0.5%) of MTBE by volume.

(2) Kerosene:

(A) Flash Test † Method ASTM D-56. Flash point may not be

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1 lower than one hundred (100) degrees Fahrenheit.
2 (B) For the purpose of this chapter, any petroleum product
3 designated by name or reference as "kerosene" must meet the
4 federal specifications for kerosene VV-K-211d in effect on
5 March 1, 1977.
6 (c) Gasoline, gasohol, and kerosene products that do not comply
7 with the minimum specifications described in subsection (b) may not
8 be sold, offered for sale, or used in Indiana.
9 (d) Petroleum products other than gasoline, gasohol, or kerosene
10 shall be inspected and tested by the methods as are necessary to
11 determine the contents and characteristics of the product.

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SENATE MOTION

Mr. President: I move that Senator Lewis be added as coauthor of Senate Bill 381.

HERSHMAN

SENATE MOTION

Mr. President: I move that Senators Young R, Weatherwax and Waterman be added as coauthors of Senate Bill 381.

HERSHMAN

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COMMITTEE REPORT

Mr. President: The Senate Committee on Agriculture and Small Business, to which was referred Senate Bill No. 381, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 381 as introduced.)

NUGENT, Chairperson

Committee Vote: Yeas 9, Nays 0.

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